

1 *[Submitting Counsel on Signature Page]*

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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6 SAN FRANCISCO DIVISION
7

8 IN RE JUUL LABS, INC., MARKETING, SALES
9 PRACTICES, AND PRODUCTS LIABILITY
10 LITIGATION

Case No. 19-md-02913-WHO

**ADMINISTRATIVE
MOTION TO FILE UNDER
SEAL**

11 _____
12 This Document Relates to:

13 *Roberto Pesce v. JUUL LABS, INC., et al.*

14 Case No. 3:20-cv-02658-WHO
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TO THE COURT, THE PARTIES, AND ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiff will and hereby does move the Court, pursuant to Civil Local Rule 79-5, for an administrative order to file under seal portions of, and exhibits related to, *Plaintiff's Opposition to JLI's Motion for Summary Judgment*.

Plaintiff files this motion pursuant to the Amended Protective Order (Dkt. 1282) and Civil Local Rule 79-5. Pursuant to Civil Local Rules 79-5 and 7-11(c), no hearing date has been set.

Material to Be Filed Under Seal

Paragraph 58 of the Amended Protective Order prohibits a party from filing in the public record any disclosure or discovery material that is designated as confidential, highly confidential, or highly confidential – outside counsel only (“Protected Material”) without written permission from the Designating Party or a court order secured after appropriate notice to all interested persons. Protected Material includes portions of pleadings that contain, summarize, or reflect the Protected Material. Dkt. 1282 at ¶ 58.

Plaintiff is seeking to file under seal the following Exhibits, along with portions of pleadings that contain, summarize, or reflect the same:

Document	Description
Memorandum	Plaintiff's Opposition to JLI's Motion for Summary Judgment
Exhibit 1	Roberto Pesce (“Pesce”) Deposition Transcript (redacted portions)
Exhibit 2	Pesce's Initial Plaintiff Fact Sheet (“PFS”) (redacted portions)
Exhibit 3	Pesce's PFS dated March 18, 2021 (redacted portions)
Exhibit 4	Pesce's Supplemental Response to JLI's First Set of Interrogatories, served on 8/23/21
Exhibit 5	Plaintiff's Supplemental Response to JLI's First Request for Production, served on 11/9/2021
Exhibit 6	Plaintiff's Supplemental Response to JLI's First Request for Production, served on 12/7/2021
Exhibit 7	Plaintiff's Supplemental Response to JLI's First Request for Production, served on 12/27/2021
Exhibit 8	Case-Specific Report of Neil E. Grunberg
Exhibit 9	Case-Specific Report of Sharon Levy
Exhibit 10	Case-Specific Report of Judith J. Prochaska
Exhibit 11	Case-Specific Report of Jonathan Winickoff
Exhibit 12	Case-Specific Report of Christopher Martin Matkovic
Exhibit 13	Andy Ide Deposition Transcript
Exhibit 14	Kathleen Pesce Deposition Transcript (redacted portions)
Exhibit 52	Pesce's PFS dated November 9, 2021

This satisfies the requirements for sealing under the Amended Protective Order as well as

1 the sealability of these documents under Civil Local Rule 79-5 because they contain non-public
2 information that is confidential and sensitive in nature, personal health information, and other
3 highly personal non-public information.

4 Plaintiff accordingly moves to file the designated exhibit under seal pursuant to paragraph
5 58 of the Amended Protective Order and Local Rules 7-11 and 79-5.

6 As required by Civil Local Rule 79-5(c)(1-3), the following attachments accompany this
7 motion:

- 8 1. Declaration of Emily Jeffcott in support of this Motion; and
 - 9 2. Proposed Order listing in tabular format all material sought to be sealed.
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1 Dated: April 29, 2022

Respectfully submitted,

2 By: /s/ Emily Jeffcott

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By: /s/ Emily Jeffcott
Emily Jeffcott